



March 3, 2021

Mrs. Lucy Sloman, AICP
City of Issaquah
1775 12th Ave NW
Issaquah, WA 98027

Project: Issaquah High School #4 and Elementary School #17, AHBL No. 2180412.10
Subject: Request for AAS for Modification of Tree Retention Requirements

Civil Engineers

Structural Engineers

Landscape Architects

Community Planners

Land Surveyors

Neighbors

Dear Mrs. Sloman:

This letter is to formally request an Administrative Adjustment of Standards (AAS) as outlined in the City of Issaquah Municipal Code (IMC) for the Tree Retention Requirements for the Issaquah High School #4 and Elementary School #17 project.

The current site design proposes saving approximately 23% of the existing caliper inches and 23% of the total number of significant trees in the Developable Site Area. This calculation includes the trees within the right-of-way and the dead and dying trees discussed in the paragraphs below. The only trees on the project site that are not included in the tree retention calculations are the ones within the wetland and associated buffer as allowed per the Developable Site Area. The majority of significant trees to be retained are:

- located within previously undeveloped areas to maintain the native forest feel and natural buffer around the site perimeter
- located on existing slopes greater than 20%.
- Adjacent to and surrounding the existing wetland and associate buffer
- Clustered with other tree groupings such that the associated undergrowth is persevered.

We are requesting that the tree retention requirement for the site be reduced from 25% to 23%.

Requirements

From our review of the City Code, pre-application comments, and numerous meetings discussing the Tree Retention Requirements, we understand that the project must comply with the tree retention requirements in Central Issaquah Design Standards (CIDS) Chapter 10.13.

Section 18.07.480 of the Issaquah Municipal Code provides development standards for Community Facilities. Per section 18.07.480.E.14, "All projects must comply with Central Issaquah Standards Chapter 10.0, Landscape."

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Per CIDDS chapter 10.13.A the tree retention requirements for the project are:

1. General Tree Retention Requirements: Significant trees on lots propose for project development or redevelopment in Central Issaquah shall be retained as follows:
 - a) 25% of the total caliper (4.5 feet above ground or "dbh") of all significant trees in Developable Site Area shall be retained except as modified by "Modification of Tree Retention Requirements" below.

Provided Design

Based on several project constraints, meeting the 25% total caliper of all significant trees in the developable site area tree retention requirement is infeasible. Some these constraints are attributed to existing slopes, existing diseased and dying trees, required ROW development and dedication for traffic mitigation, bus circulation, buffers, wetlands and parking requirements.

As outlined in the project constraints above, there are two significant elements of the project that are detrimental to the ability of the project meet the minimum tree retention requirements:

- 1) The removal of significant trees within proposed Right-of-way:

Parts of the project site have been previously developed. The previous developments of the site have essentially removed all significant trees from the central portion of the site and left significant trees along the site's perimeter. Due to the required right-of-way improvements for the project, approximately 223 trees with a total of 3,090 caliper inches must be removed within the existing/proposed right of way. These numbers do not include the additional trees that must be removed to construct the walls along the right of way. The purpose of these walls is to limit the amount of grading along the eastern border of the project and save as many of the existing significant trees along the frontage as practical.

Chapter 2 of the CIDDS defines Developable Site area as: "The gross site area minus deductions for critical areas and associated buffers as required by Chapter 18.10 IMC, Environmental Protection and minus deductions for Significant Public Plazas and Significant Public Parks as shown on Figure 7B."

For this project site only the two existing wetlands and associated buffer and can be subtracted from the gross site area. This project is not within the Central Issaquah Plan Boundary and thus Figure 7B is not applicable and no Significant Public Plazas nor Public Parks can be subtracted. There is no guidance for how to account for public benefit provided for project's outside of the Central Issaquah Plan. However, this definition shows that the intent of the requirement is allow for removal of areas provided for public benefit. Although this project is a public school and plazas, play fields, etc. are being constructed as a benefit to and for the use of the surrounding community, there are no prescribed deductions for these spaces allowed. Nor do the tree retention requirements allow for reduction of trees required for removal due to required right-of-way improvements and dedication. The newly constructed right-of-way improvements will also provide benefit to the surrounding community by adding two through lanes and frontage sidewalks.



- 2) The requirement to include dead and dying trees in the existing site tree calculations although it is not logical nor safe to retain them:

As noted in the arborist report submitted for the project and in the subsequent review by Urban Forestry Services provided by the City of Issaquah, many of the existing trees are dying or dead. However, per Chapter 2 of the CIDDS, trees are defined as “A large, woody plant having one (1) or several self-supporting stems or trunks and numerous branches and a potential minimum height of twenty (20) feet. May be classified as deciduous or evergreen. Trees include standing dead trees, also called snags.” Thus, these dead and dying trees must be included in the retention requirements. The dead and dying trees are in locations that will either be dangerous to the proposed development or will be difficult to access for removal after the site has been developed. Additionally, these trees, if retained, will damage the other healthy trees to be retained.

Tree Retention Modification Requirements

Per CIDDS Chapter 10.13.B, the following are the requirements to modify the tree retention requirements:

A reduction of the tree retention requirements may be approved by the Director provided the following criteria 1-4 and/or criteria 5 are met. In all modifications, criteria 6 is required to be met:

1. The modification is consistent either purpose and intent of this Chapter, and the Central Issaquah Plan goals and policies.
2. The modification incorporates the retention of grouping(s) of smaller trees that make up the equivalent diameter inches and retains other natural vegetation occurring in association with the small tree grouping(s).
3. The modification is necessary because the size, shape, topography, location of the subject property may jeopardize the reasonable use of the property and reasonable alternatives do not exist.
4. The modification is necessary because the proposed buildings and site layout, required ingress/egress, existing and proposed utility locations, trails, storm drainage improvements or similar constraints may jeopardize the reasonable use of the property and reasonable alternatives that are consistent with the Central Issaquah Plan do not exist.
5. The modification is necessary to provide solar access to a building that incorporates active solar devices. Window are solar devices only when they are south-facing and include special storage elements to distribute heat energy.
6. The applicant replaces trees on site and/or off-site or pays a fee in-lieu-of in accordance with 10.14.C-D Replacement Trees for reductions less than the minimum tree density requirement.

A discussion of how the modification/proposed tree retention will meet those requirements is as follows:

1. The intent of Chapter 10 of the CIDDS is to establish the minimum requirements for trees to “soften the urban form and provide opportunities for transitions from the natural edges into the built environment.” The proposed trees for retention surround the proposed development. This creates the desired “transitions from the natural edges to the proposed development” and meets the intent of the tree retention.
2. The proposed trees to retain are in large areas that include smaller trees and other natural vegetation and thus meets the criteria.



3. As mentioned above the center of the existing site was previously developed and the majority of existing significant trees are along the property perimeter. Although the site was developed it has been vacant for numerous years prior to condemnation by the School District and the existing significant trees were not adequately maintained. The existing site has approximately 40' feet of elevation difference between its existing flat areas and the adjacent 228th Ave. SE. These existing impacts of the site make it impractical to meet the tree retention requirements for the proposed project and are justification for the modification.
4. As previously discussed, this modification is necessary due to the required right-of-way development and dedication for traffic mitigation, bus circulation, buffers, and parking requirements. The site design has already been shrunk to the minimum necessary to fit all the required site elements and tiered walls have been removed from the design to create a single, taller walls to protect additional trees
5. No solar devices are proposed. This criterion is not applicable.
6. New trees planted on site are proposed to meet the requirement of this criteria. The landscape plans submitted with the land use documents show the number and locations of the proposed tree removal.

Additional Justification for Modification

As previously discussed, there are many dead/dying trees on the site that are required to be included in the required existing retention calcs. However, these dead/dying trees ultimately pose safety risks if left in place after the site is fully developed. The school district would like them removed at the time of full development when it is safer and more economical to do so. It should be noted, if these dead/dying trees are retained and not removed from the site, the minimum tree retention requirement of 25% can be met.

However, these trees would pose a danger to the newly constructed improvements and limit the viability of the retained healthy trees. Ideally these trees would be removed at the time of full site development since the site will be vacant loggers will already be on site. Chapter 10.12 of the CIDDS provides requirements for Tree Removal Permit for commercial lots. Tree removal permits will be granted for "removal of tree(s) for the purpose of thinning a heavily wooded area where remaining trees may benefit by thinning and the site's overall appearance or function is maintained." We are requesting that the modification be allowed so that these trees can be removed now when it is safe and economical to do so.

There are 223 trees with 3,090 caliper inches to be removed as part of the proposed right of way improvements/dedication to the City of Sammamish. Approximately 43,700 square feet of the existing property will be dedicated to the City of Sammamish. Chapter 10.12.E allows for exemption of tree removal permit requirements in association with right-of-way and easements. If trees removal in the right-of-way is exempt from permits, then this creates precedence that trees located in the area of proposed the right-of-way dedication should not be included in the tree retention requirements. It should be noted, if the trees in the proposed right of way dedication were not included in the required tree retention calculation, the min tree retention requirement of 25% can be met.

Conclusion

Based on the criteria presented in this letter it is our opinion that we have met the intent of the code and a 2% reduction of the tree retention requirements should be allowed for the proposed project. Thank you for your consideration of this request.

Mrs. Lucy Sloman, AICP
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If you have any questions or need any additional information, please call me at (253) 383-2422.

Sincerely,

Todd Sawin, PE
Principal

TCS/

c: Tom Mullins, Issaquah School District
Jean Stolzman, Bassetti Architects

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